

**COMMUNITY RELATIONS  
ADVISORY BOARD  
AUGUST 28, 2001**

**1. ROLL CALL**

The meeting was called to order at 6:45 p.m. Present were Chair Geri Clark (arrived at 6:50 p.m.), Vice-Chair Wayne Arnold, Norman Blanco, Jason Curtis, Katherine Montgomery, Richelle Gilhauley, Brian Hierholzer, Kitty Preziosi, Denis Shaw, and Zel Veaser. Lynette Brown was absent. Also in attendance was Clerk Nina Valdez recording the meeting.

**2. APPROVAL OF MINUTES: July 24, 2001**

Mr. Curtis stated he had corrections to the minutes on page 6, changing Davie Agricultural Advisory Board to the Agrarian Committee.

Mr. Blanco made a motion, seconded by Mr. Shaw, to accept the minutes. In a voice vote, with Ms. Brown being absent, all voted in favor. (Motion carried 10-0)

**3. OLD BUSINESS**

Chair Geri Clark passed the gavel and made a motion, seconded by Vice-Chair Arnold, to move item 3.4 forward. In a voice vote, with Ms. Brown being absent, all voted in favor. (Motion carried 10-0)

**3.4 Study Circles**

Chair Clark stated that Mr. Mosely was not at the meeting, but was suppose to attend to discuss training, costs, and direction from the County or from an organization that he would recommend.

Chair Clark made a motion, seconded by Ms. Preziosi, to table item 3.4 to the next agenda. In a voice vote, with Ms. Brown being absent, all voted in favor. (Motion carried 10-0)

Vice-Chair Arnold made a motion, seconded by Ms. Gilhauley to move to item 3.2. In a voice vote, with Ms. Brown being absent, all voted in favor. (Motion carried 10-0)

**3.2 Processing Complaints**

Jeff Gorley stated he was from the Broward County Human Rights Board and would contact Mr. Mosely to find out what his intentions were regarding the Study Circles.

Mr. Gorley stated that the Davie Community Relations Advisory Board could be very effective. He felt the beginning process of a new board was to create policies and procedures regarding complaints and offered his help.

Mr. Gorley complimented the Town's Police Department's building, and thought it was a nice place for meetings, but felt people who might want to complain about the police may not feel comfortable entering the building. He suggested the Board have their meetings away from the Police Department. He felt that the police needed to be involved in the meetings in case the Board had questions for them.

Chair Clark assured Mr. Gorley that the Board's policies and procedures had been extensively discussed. She stated that the phone line for complaints was intact. Mr. Curtis stated that no calls had been received. Chair Clark discussed the procedures for the phone line. A form had been created to be filled out when a call came in and all calls were logged,

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then faxed to Assistant Town Clerk Barbara McDaniel. If the complaint was departmental or administrative, Ms. McDaniel would fax that complaint to the appropriate department. Ms. McDaniel would provide a report to the Board on any steps that she took.

Chair Clark stated that someone suggested contacting Miami-Dade County, for information on the history of their Community Relations Board. She would contact Mr. Willi to see if that had been followed up on.

Chair Clark discussed a NAACP meeting she attended a few months back. One of the questions that was asked to every law enforcement agency in attendance, was if the agencies had statistics on how many complaints came in and how many violations were founded or unfounded.

Chair Clark stated that the policy on an individual coming to a Board member with a complaint was left open and she wanted to discuss the procedure for this. She stated that all Board members should have forms in the event an individual contacted a Board member with a concern.

Ms. Preziosi stated that she would like to review Mr. Gorley's umbrella issues on policies and procedures. She asked what procedures he recommended the Board have in place. Mr. Gorley responded that he could not tell the Board what would be best for the Town as the Board needed to determine what policies and procedures it wanted to put in. Mr. Gorley offered to give the Board a copy of an outline of policies and procedures from other cities to use as a guideline for ideas.

Ms. Gilhauley stated that she did not want to see the Board too restricted, as the Board was governed by the Sunshine law by not being able to discuss matters. Part of what she was concerned about was when the public became aware of this Board and began attending wanting their problems resolved. She stated that the Board did not want to be a complaint Board and it should make sure that whatever came before the Board, the Board was able to come up with a resolution to the problem. Her main concern was how to move forward to resolve problems in a timely fashion, especially when the Board met once per month.

Ms. Montgomery referred to handling matters in a timely fashion by having the ability to call emergency meetings, which was discussed at the July 24, 2001 meeting. Chair Clark stated that the decision on emergency meetings was that the Chair and the Vice-Chair should be the ones to call an emergency meeting. Chair Clark did not think a 24 hour notice was enough time to call a meeting. In order to contact the public, at least 48 hours was needed. Mr. Curtis advised that the information regarding 24 hour emergency meetings was obtained from Mr. Willi. Chair Clark agreed that 24 hour meetings were called, but the meeting must be considered a true emergency.

Ms. Gilhauley referred to Julie Aitkens, who was at this meeting seeking resolution to her farm problem, which Ms. Aitkens had been trying to resolve for over three months. Ms. Gilhauley inquired how the Board would determine if an emergency meeting was necessary. She also wondered if the Board's case load increased, would the Board be meeting more than once a month.

Chair Clark stated that an emergency would be considered on an individual basis. The issue with the farmers had unfortunately been drawn out for well over a year. Chair Clark advised that the Board was not an expert on the laws or codes of farming. She reminded the Board that a suggestion was made that staff attend meetings when there was

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an issue and apprise the Board of their side of the farm issues because this Board was a mediator. She advised that Mark Kutney, Director of Development Services, was attending this meeting for that reason.

Mr. Blanco suggested that individuals may be hesitant about coming to this Board with a personal problem if the meeting was at the Police Department or in front of a large group of people. Mr. Shaw spoke on this matter and how Miami-Dade County handled this situation. Chair Clark stated that the Board could incorporate a policy where forms may be filled out if they did not want to address the Board openly and that individual could be contacted at a later time.

Mr. Curtis referred to personal appearances on the agenda and wondered if it would be appropriate to let audience members speak after the approval of minutes. Chair Clark suggested that if the Board saw there was an issue with an abundance of people waiting to be heard, then the Board could decide at that time whether an issue should be moved up on the agenda.

Chair Clark stated that meetings being held at the Police Department was discussed at the last meeting. It was suggested that not all meetings should be here because this building was subject to emergency situations where the room would not be available. There was a variety of meeting places that could be available.

Mr. Shaw reminded Chair Clark about a previous discussion regarding a tour of Davie. Chair Clark responded that the free shuttle bus passed by most of Davie's major parks and the possibility of a bus tour might be available. Mr. Shaw suggested that the tour include the Silver Oaks trailer park.

Mr. Gorley spoke about the maturing of the Davie Community Relations Board and suggested that the Board consider creating a hearing panel. He stated that the Chair could appoint three or four Board members who would hear complaints from the citizens on such issues as public safety. The panel would not be making decisions at this point and would come back to the full Board with their recommendations. This could be done by having a hearing panel for public safety and one panel for general complaints about individual Town departments. The Board would make the final decision on how to handle each situation, whether it was a recommendation to the Town Administrator or Council.

Ms. Preziosi stated that this would help the Board by not having to handle all complaints as a group. Mr. Gorley further stated that if there was an emergency meeting, it was often difficult to get a lot of people together at one time. He stated that if a hearing panel was in place and there was a problem, the Chair would contact the hearing panel and they would respond to the problem. The hearing panel would provide a report at the next Board meeting.

Chair Clark stated that she believed this brought the Board back to the discussion with Mr. Mosely regarding legal representation. She further stated that Council was reviewing the number of boards that the Town had, the expense of the boards, especially those that require legal services, in addition to the expense incurred for a secretary taking minutes at the meeting.

Chair Clark stated that in order not to violate the Sunshine law, creating a hearing panel was a question for the Town Attorney. She believed that the procedures would be the same for a hearing panel as for a Board. Chair Clark would speak to Mr. Willi on whether or not this Board needed legal counsel, which she believed was important. She also

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believed the Town was overtaxed on boards and their jobs overlapped each other. When the Town Council made a decision on eliminating some boards, there may be more funds available. Vice-Chair Arnold suggested that the legal counsel be on a as needed basis.

**3.1 Davie Agricultural Advisory Board**

Chair Clark asked if the Board was going to have the farmer's issue addressed again. Mr. Curtis spoke on the matter of the Davie Agricultural Advisory Board and how they felt they were too close to the issue to handle complaints. Mr. Curtis asked if a motion could be heard to hear the complaints of the Davie Agricultural Advisory Board. Chair Clark asked for discussion on the Board handling the Davie Agricultural Advisory Board's complaints.

Vice-Chair Arnold wanted to know if the issues could be narrowed on the complaints from the Davie Agricultural Advisory Board. Mr. Curtis stated that the issues would be related to the Town's Code Compliance.

Chair Clark suggested that the Board hear the Town staff's presentation before any motions were made.

Mr. Kutney stated he understood this meeting related to the concerns of the Davie Community Relations Advisory Board, the Agricultural Advisory Board, and Code Compliance. Mr. Kutney stated that Code Compliance Supervisor Dan Stallone, was scheduled to attend this meeting, but would not be available due to a conflict in scheduling.

Mr. Kutney stated that he agreed with Mr. Curtis regarding the Davie Community Relations Advisory Board handling complaints. He explained that Code Compliance was in a tough position because it had to react to complaints. Mr. Kutney further stated that there were numerous Florida Statutes which gave farms and agricultural type property a number of protections. From a Code Compliance standpoint, the Town had to adhere to the State Statutes/Town Codes. Those Statutes were adopted and put into the Town ordinances. He further discussed Code Compliance's position of trying to help farmers and residents complaining about smells or noises. He felt that this Board could be very helpful in trying to mediate positions of residents and farmers.

Mr. Curtis responded that the Davie Agricultural Board was interested in the Community Relations Advisory Board helping mediate problems as it could avoid the expense of lawyer's fees. He discussed how this Board would benefit the farmers and residents with their problems. Mr. Curtis stated that a farm that was in existence for one year without any complaints from anybody was protected by the Right to Farm Act. He stated that the Property Appraiser's Office said that the definition of agriculture was the cultivation of land or the use of the land.

Mr. Blanco spoke about a farmer putting down a pad and being sited by Code Compliance. Chair Clark explained that Mr. Kutney was attending the meeting to discuss matters like these. Mr. Curtis provided a history of the problem, which was resolved with help from Vice-Mayor Judy Paul.

Chair Clark stated that was a Council decision to help in resolving the matter and was not a decision by staff. She explained that when staff was making a decision, the whole scope of their job, Codes, and law were considered. She stated that the person Mr. Curtis referred to was refunded her money for permit fees.

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Julie Aitken spoke on the Right to Farm Act, stating that the definition for farm was contained in the Act for the building, permit, and code exemption, and it was very general. She explained that farm products were defined as any plant or animal useful to man. A hobby farm was an I.R.S. distinction and it had nothing to do with State law. However, it summarized farms as being exempt from land development regulations and specified that if a property had agricultural classification, then it was a farm. In many counties, horse boarding and training farms were granted agricultural classification by the County Commissioners. Ms. Aitken stated that she was going to attend a meeting of the Value Adjustment Board because that Board would be asking for an amendment to the Statute to specifically include horse boarding and training farms to the Green Belt Law to resolve this problem. Property could be classified farms without the agricultural classification.

Chair Clark confirmed with Ms. Aitken that she agreed there were gray areas when it came to classifying someone's home or business. Ms. Aitken stated that if a property had the agricultural classification, that would not be considered a gray area. Chair Clark questioned whether or not the case previously discussed had a classification. Mr. Curtis responded negatively. Ms. Aitken stated that the Right to Farm Act protected farms that had been in existence for one calendar year or more without any kind of nuisance suits.

Vice-Chair Arnold spoke about how all of this was interrelated to what happened with the farmers and the Code. He stated that he was concerned that it was a tax issue first; however, he understood there had been some injustices on that issue in the Town's western areas.

Chair Clark was concerned about who would determine the gray areas of whether or not someone was a farm or not. Ms. Aitken stated it would still be staff who would investigate. She suggested that even staff could refer residents to the Davie Community Relations Board to mediate, if after their investigation the property was determined to be a farm. Further issues were discussed in the area regarding this matter and determining classification of properties.

Mr. Blanco made a motion, seconded by Ms. Vesser, to defer all complaints from the Davie Agricultural Advisory Board to the Davie Community Relations Board. In a voice vote, with Ms. Brown being absent, all voted in favor. (Motion carried 10-0)

Mr. Kutney offered to provide the Board with information on the Florida Statutes referring to the farming and agriculture codes.

### **3.3 Cultural Affairs**

Chair Clark stated that Bonnie Stafiej, Director of Special Projects, was not in attendance at this meeting because she was at a Town meeting. She discussed issues about the Town's Martin Luther King Day event and spoke about how she enjoyed last year's event, but discussed with Ms. Stafiej how the event could be more community related so the attendance would be greater. Chair Clark felt it was a good decision not to combine the Cultural Day with this event. She stated that Ms. Stafiej would be advising the Board on information she obtained from Broward Community College on their cultural event. This item was deferred to the next meeting.

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Ideas were discussed for the Cultural Day Event such as an essay contest, ethnic costumes contest, food, invitations to various restaurants, African drummers and dancers, Nova's student organizations, a presentation by Ashante Cultural Arts, a talent show, a guest speaker from NAACP, an invitation to Senator Meek and Ft. Lauderdale Commissioners, Dennis Lee Rogers, and a representative from the Town's Mexican population.

Mr. Stallone arrived and Chair Clark introduced him as being in charge of Davie's Town Code Compliance department, and updated him on what was discussed. Mr. Stallone spoke regarding the Right to Farm Act, laws, and Codes, and on improving the Town.

**4. NEW BUSINESS**

Mr. Blanco questioned the issue of the abandoned Winn Dixie shopping center property. Chair Clark clarified that this property was owned by a Lefmark. Mr. Stallone spoke about this issue and stated that there was a non-compliance hearing on the property due to it being vacant and abandoned. He advised that the property was scheduled for demolition. Mr. Stallone believed that the company would move forward to avoid the Town's fines that may be imposed upon them if they do not carry through with the demolishing.

Mr. Shaw questioned Mr. Stallone about the problems in Silver Oaks with enforcing the Town's Codes and why Silver Oaks was exempt. Mr. Stallone explained that Silver Oaks had entered into an annexation agreement with the Town. In the terms of the agreement, there were certain methods for complying with the Codes, which he explained.

Chair Clark stated that there were a lot of people who took pride in their homes in that community who reached out to the Town. She stated that there had been improvements in that community, but believed there were problems with police patrolling, lighting, and Code enforcement. Chair Clark tried to help with lighting issues, but the issue was not resolvable due to the rights-of-way not belonging to the Town. She added that the lighting issue was a financial burden to some residents in that area.

Chair Clark stated that she had been contacted by a Silver Oaks resident who complained about the response time it took for the Police Department. She offered the resident the opportunity to address the Board regarding this problem; however, she was going to defer the problem to Chief George.

Vice-Chair Arnold suggested that Home Depot be contacted for a possible donation of light bulbs. Chair Clark stated that Silver Oaks had community help from the Help Outreach program and suggested that this Board could possibly do more to help.

Chair Clark spoke about a Davie resident, Altheia Ellis, who was interested in getting involved with this Board and had invited her to the next meeting.

Mr. Stallone advised that the Town's policy was to try to assist the residents of Silver Oaks. He referred to a meeting regarding where Housing and Community Development Director Shirley Taylor-Prakelt attended and the issue of donating fire detectors was suggested for that community. Mr. Stallone stated that he was compiling laws pertaining to

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mobile homes so that in the future there might be a Code to apply to these areas because the mobile homes were governed under the Department of Motor Vehicles and Transportation Statutes. He referred to illegal construction in mobile home parks and the danger related to electrical problems, and how the Code Compliance Division would like to prevent tragedies.

**5. PUBLIC COMMENT**

There were no comments or suggestions.

**6. COMMENTS AND/OR SUGGESTIONS**

There were no comments or suggestions.

**7. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 9:30 p.m.

Approved: \_\_\_\_\_

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Chair/Board Member